

REMARKS

Claims 1-19 are pending in this application.

Applicant has amended claims 1, 8, 15, and 17-19. In addition, Applicant has made minor changes to the specification. These changes do not introduce any new matter.

Translation of Priority Documents

Applicant respectfully traverses the requirement that certified English translations of the priority documents be submitted at this time. The regulations cited by the Examiner in support of this requirement (37 C.F.R. §§ 41.154(b) and 41.202(e)) relate to proceedings before the Board of Patent Appeals and Interferences (“the Board”). As the subject application is not currently before the Board, the regulations do not require that certified English translations of the priority documents be submitted at this time. In the event that the subject application becomes involved in an interference proceeding, or Applicant needs to establish entitlement to the benefit of the filing dates of the priority documents to overcome the date of a reference relied upon by the Examiner, Applicant will provide certified English translations of the priority documents.

Rejection Under 35 U.S.C. § 101

Applicant respectfully requests reconsideration of the rejection of claims 1-7, 15, 16, 18, and 19 under 35 U.S.C. § 101 as being directed toward non-statutory subject matter. Applicant has amended independent claims 1 and 15 to specify that the respective modules are implemented as program instructions stored on a computer-readable medium or as a combination of hardware and program instructions stored on a computer-readable medium. With regard to independent claims 18 and 19, Applicant notes that each of these claims defines a computer program product that includes *a computer program stored on a computer readable recording medium*. With regard to the computer readable recording medium, Applicant has amended the specification to delete the reference to “data signals.”

Accordingly, Applicant submits that claims 1-7, 15, 16, 18, and 19 now define statutory subject matter under 35 U.S.C. § 101, and requests that the rejection of these claims thereunder be withdrawn.

Rejection Under 35 U.S.C. § 102

Applicant respectfully requests reconsideration of the rejection of claims 1-19 under 35 U.S.C. § 102(e) as being anticipated by *Hatta et al.* ("*Hatta*") (US 7,258,498 B2). The *Hatta* reference was granted based on underlying International Application No. PCT/JP02/07716, and this application was not published in English. Accordingly, the *Hatta* reference is not eligible to be cited as a prior art reference under 35 U.S.C. § 102(e).

In light of certain other publications corresponding to the *Hatta* reference, e.g., PCT Publication No. WO 03/012622 A1 and JP 2003-44255, which may qualify as prior art against the subject application under, for example, 35 U.S.C. § 102(a), Applicant has amended each of independent claims 1, 8, 15, and 17-19 to clarify the claimed subject matter relative to that shown in the *Hatta* reference. In particular, Applicant has amended independent claim 1 to specify that the notification module notifies the client of the result of detection regardless of whether or not a request for information about whether or not the service device is capable of providing the service within the preset time period has been received from the client. Applicant has amended independent claim 8 to specify that the client is notified of the result of detection regardless of whether or not a request for information about whether or not the service device is capable of providing the service within the preset time period has been received from the client.

Applicant has amended independent claim 15 to specify that the receive module receives a result of detection from the service device regardless of whether or not a request for information about a status of the service device has been issued to the service device, and that the acquaint module acquaints a user of the client with the result of detection regardless

of whether or not the request for information about the status of the service device has been issued to the service device. Applicant has amended independent claim 17 to specify that the service device notifies the client of the result of detection, regardless of whether or not a request for information about whether or not the service device is capable of providing the service within the preset time period has been issued from the client to the service device, and the client acquaints the user with the result of detection, regardless of whether or not the request for information about whether or not the service device is capable of providing the service within the preset time period has been issued from the client to the service device.

Applicant has amended independent claim 18 along the same lines that claim 1 has been amended, and Applicant has amended independent claim 19 along the same lines that claim 15 has been amended.

The *Hatta* reference does not disclose (or suggest) the notification module (or the corresponding method operation or function) specified in the presently claimed subject matter. As set forth in column 15, lines 18-47, of *Hatta*, client system 5 is informed of a printer status *upon receipt of an information request from the client system* (see column 15, line 35). On the other hand, in the presently claimed subject matter, the notification module (or the corresponding method operation or function) notifies the client of the result of detection *regardless of whether or not a request for information has been received from the client*. With regard to claims 15 and 19, the receive module (or the corresponding function) receives a result of detection from the service device *regardless of whether or not a request for information about a status of the service device has been issued to the service device*, and the acquaint module (or the corresponding function) acquaints a user of the client with the result of detection *regardless of whether or not the request for information about the status of the service device has been issued to the service device*. The *Hatta* reference does not disclose or

suggest these features. Accordingly, for at least the foregoing reasons, the presently claimed subject matter is distinguishable from that shown in the *Hatta* reference.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of claims 1-19, as amended herein, and submits that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP088).

Respectfully submitted,
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